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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICE OF PETITIONS

Application of : A. W. Chester, et al.  
Serial No. : 09/144,607  
Filed : August 31, 1998  
For : GASOLINE SULFUR REDUCTION IN FLUID  
CATALYTIC CRACKING  
Group Art Unit: 1764  
Examiner : N. Preisich

Petition under 37 CFR 1.137 (b) to Revive Unintentionally Abandoned Application

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This application became abandoned on 6 May 2002 by failure to respond to an office action (Paper No. 23) dated 6 November 2001. The failure to respond within the statutory period was unintentional and this petition requests revival of the abandoned application under 37 CFR 1.137(b).

A response to the office action is attached. Payment of the petition fee of \$1280.00 is requested in the attached transmittal letter. Payment has already (6 May 2002) been made for a three month extension of the statutory period for response to the office action.

The circumstances under which this application became abandoned were as follows. I, the undersigned attorney, was unable to prepare a response to the office action within the extended period for response expiring on 6 May 2002, as had been my intention, as a result of an unexpected and lengthy absence from the office in the month of April 2002 from sickness (which included hospitalization). Faced, upon the first day of his return to the office on 6 May 2002, with a substantial backlog of work including a response due that day to a rather lengthy and detailed office action, I took the action which seemed appropriate at the time to maintain pendency of the application, namely, the filing of a Continued Prosecution Application (CPA), a procedure with which he was familiar. Unfamiliar, however, with the new rules relating to Requests for Continued Examination (RCE) and CPAs, I overlooked

the fact that CPA practice no longer applied to applications filed after 29 May 2000 (as this application was as a result of the filing of an earlier CPA on 19 June 2000). As a result, the application became abandoned (see Notice of Improper Request for Continued Examination (Paper No. 26)) since the period for response continued to run from the date of the original office action and no response had been filed.

In summary, therefore, the failure to file a timely response to Paper No. 23 was inadvertent as was the action taken in vain to maintain pendency. The entire delay in filing the response from the due date for reply to the date of filing this petition was unintentional for the reasons set out above.

Respectfully submitted,



Date: 14 June 2002

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